

PS **EXHIBIT D** Document 93-5 File

**Marino, John**

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**From:** Curtis P. Cheyney [ccheyney@swartzcampbell.com]  
**Sent:** Thursday, September 08, 2005 2:41 PM  
**To:** John S. Spadaro, Esq.  
**Cc:** Marino, John; CHAMBEY@Nationwide.com; OESTERP@Nationwide.com; Nicholas E. Skiles  
**Subject:** Eames vs. Nationwide

John, as a follow-up to the previous letter and proposed protective order and given the contents of that letter and the fact that we will be holding a meeting with Nationwide's e-discovery liaison to attempt to work through any remaining issues as you have requested, we do not believe that it is necessary to hold a conference with the judge. If issues remain after the meeting that cannot be resolved by agreement, we should request a conference at that time. We hope that you will agree once you have reviewed the letter. Please let us know if you nevertheless deem it necessary to have a further conference with the Judge at this time.

Sincerely,

Curtis P. Cheyney, III

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